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7 Attorneys for Defendants

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
10

11 ALEX VILLANUEVA,

12 Plaintiff,

13 v.

14 COUNTY OF LOS ANGELES,
COUNTY OF LOS ANGELES
15 SHERIFF'S DEPARTMENT, LOS
ANGELES COUNTY BOARD OF
16 SUPERVISORS, COUNTY EQUITY
OVERSIGHT PANEL, LOS ANGELES
17 COUNTY OFFICE OF INSPECTOR
GENERAL, CONSTANCE
18 KOMOROSKI, MERCEDES CRUZ,
ROBERTA YANG, LAURA
19 LECRIVAIN, SERGIO V.
ESCOBEDO, RON KOPPERUD,
20 ROBERT G. LUNA, MAX-GUSTAF
HUNTSMAN, ESTHER LIM, and
21 DOES 1 to 100, inclusive,

22 Defendants.
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CASE NO. 2:24-cv-04979 SVW (JC)

**DEFENDANTS' NOTICE OF
MOTION TO DISMISS
COMPLAINT**

*[Filed Concurrently with Memorandum
of Points and Authorities; Declaration
of Jason H. Tokoro; Request for
Judicial Notice; and [Proposed] Order]*

Date: September 9, 2024

Time: 1:30 p.m.

Crtrm.: 10A – First Street Courthouse

Assigned to Hon. Stephen V. Wilson,
Crtrm. 10A and Magistrate Judge
Jacqueline Chooljian, Crtrm. 750

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on September 9, 2024, at 1:30 p.m., or as
3 soon thereafter as the matter may be heard before the Honorable Stephen V. Wilson,
4 United States District Court Judge, in Courtroom 10A of the First Street Courthouse,
5 350 West First Street, Los Angeles, California 90012, Defendants County of Los
6 Angeles, County of Los Angeles Sheriff's Department, Los Angeles County Board
7 of Supervisors, County Equity Oversight Panel, Los Angeles County Office of
8 Inspector General, Constance Komoroski, Mercedes Cruz, Roberta Yang, Laura
9 Lecrivain, Sergio V. Escobedo, Ron Kopperud, Robert G. Luna, Max Huntsman and
10 Esther Lim (collectively, "Defendants"), will, and hereby do, move for an order
11 dismissing the complaint filed by Plaintiff Alex Villanueva ("Plaintiff"), pursuant to
12 Rule 12(b)(6) on the ground that the complaint fails to state a claim upon which
13 relief can be granted.

14 **LOCAL RULE 7-3 STATEMENT**

15 This motion is made following a telephonic conference of counsel pursuant to
16 Local Rule 7-3, which took place on July 29, 2024, at 4:00 p.m. Prior to that
17 conference, on July 15, 2024, Defendants sent Plaintiff a written meet-and-confer
18 letter outlining Defendants' positions. A copy of that letter is attached as Exhibit 4
19 to the Declaration of Jason H. Tokoro. Defendants never received any written
20 response from Plaintiff.

21 * * *

22 This Motion is based on this Notice of Motion, the attached Memorandum of
23 Points and Authorities, the Declarations of Jason H. Tokoro and exhibits thereto, the
24 accompanying Request for Judicial Notice, the pleadings and papers on file in this
25 action and any oral argument that may be presented when the Motion is heard.

1 DATED: August 5, 2024

Respectfully Submitted,

2 MILLER BARONDESS, LLP

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5 By: /s/ Jason H. Tokoro

6 JASON H. TOKORO

7 Attorneys for Defendants

MILLER BARONDESS, LLP

ATTORNEYS AT LAW

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